

**NO. 48**

**JOURNAL**  
**of the**  
**HOUSE OF REPRESENTATIVES**  
**of the**  
**STATE OF SOUTH CAROLINA**



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019**

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**THURSDAY, MARCH 28, 2019**  
**(STATEWIDE SESSION)**

Thursday, March 28, 2019  
(Statewide Session)

~~Indicates Matter Stricken~~  
Indicates New Matter

The House assembled at 10:00 a.m.  
Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Psalm 63:1: "O God, You are my God, I seek You, my soul thirsts for You."

Let us pray. Almighty God, help us to thirst for the living water of salvation You freely give to us. Continue Your blessings to us as these men and women work to make a great state. Empower them to work with the spirit of helpfulness for all they serve. Provide them with all needful things. Make these Representatives faithful to their task. We offer our thanks to You for the life and service in this House of Charles Reid. Continue to bless him and his family. Bless our Nation, President, State, Governor, Speaker, staff, and all who give of their time and effort to this Assembly. Protect our defenders of freedom and first responders as they care for and protect us. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

#### **MOTION ADOPTED**

Rep. FUNDERBURK moved that when the House adjourns, it adjourn in memory of Lois Isabelle Thompson "Izzy" Connell, which was agreed to.

#### **SILENT PRAYER**

The House stood in silent prayer for Maria Romero and her family.

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**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 466 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF BLUFF ROAD AND LOWER RICHLAND BOULEVARD IN RICHLAND COUNTY "HATTIE N. FRUSTER MEMORIAL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 515 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION PLACE APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION OF BLUFF ROAD AND FRAZIER STREET IN RICHLAND COUNTY CONTAINING THE WORDS "IN MEMORY OF MRS. ROXANA FRAZIER COMMUNITY ORGANIZER (1898-1978)".

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 714 -- Senator Shealy: A CONCURRENT RESOLUTION TO CONGRATULATE THE WHITE KNOLL HIGH SCHOOL SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2018 STATE 5A SOFTBALL CHAMPIONSHIP.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

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**INTRODUCTION OF BILLS**

The following Bills and Joint Resolution were introduced, read the first time, and referred to appropriate committees:

S. 580 -- Senator Gambrell: A BILL TO AMEND CHAPTER 29, TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THE PURPOSE OF THE CHAPTER, TO ALTER THE APPLICATION OF THE CHAPTER, TO ESTABLISH CERTAIN POWERS AND DUTIES FOR THE ASSOCIATION IN RELATION TO IMPAIRED OR INSOLVENT MEMBER INSURERS, TO PROVIDE THAT THE BOARD OF DIRECTORS OF THE ASSOCIATION MAY CALL AN ASSESSMENT OF THE MEMBERS AND TO PROVIDE CLASSES FOR THE ASSESSMENTS, TO REQUIRE THE ASSOCIATION TO ESTABLISH A PLAN OF OPERATION AND REQUIRE THE PLAN TO CREATE PROCEDURES FOR REMOVING A MEMBER OF THE BOARD UNDER CERTAIN CIRCUMSTANCES AND TO ADDRESS CONFLICTS OF INTEREST, TO PROSCRIBE CERTAIN DUTIES FOR THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO AID IN THE DETECTION AND PREVENTION OF INSURER IMPAIRMENTS AND INSOLVENCIES, TO PROVIDE THAT NO PERSON MAY USE THE EXISTENCE OF THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION FOR THE PURPOSE OF INSURANCE SALES, AND TO REQUIRE THE ASSOCIATION TO PREPARE A DOCUMENT DESCRIBING THE GENERAL PURPOSES AND LIMITATIONS OF THIS CHAPTER.

Referred to Committee on Labor, Commerce and Industry

S. 593 -- Senators Shealy and Scott: A BILL TO AMEND SECTION 57-25-40 OF THE 1976 CODE, RELATING TO APPLICATIONS BY A REGIONAL TRANSIT AUTHORITY OR PUBLIC TRANSIT OPERATOR TO INSTALL COMMERCIAL ADVERTISEMENT BENCHES, TO DELETE THE EXPIRATION DATE OF PERMITS.

Referred to Committee on Education and Public Works

S. 673 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL

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CONTROL, RELATING TO REQUIREMENTS FOR STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN ASSISTANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4838, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Regulations and Administrative Procedures

**ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brown	Bryant
Burns	Calhoon	Caskey
Chellis	Chumley	Clary
Clemmons	Cobb-Hunter	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Govan
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
Johnson	Jordan	Kimmons
King	Kirby	Ligon
Loftis	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McDaniel	McGinnis
McKnight	Moore	D. C. Moss
V. S. Moss	Murphy	B. Newton
Norrell	Ott	Parks
Pendarvis	Pope	Ridgeway
Rivers	Robinson	Rose
Sandifer	Simmons	Simrill

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G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Trantham	Weeks	West
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

**Total Present--113**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. COGSWELL a leave of absence for the day.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. W. NEWTON a leave of absence for the day.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. YOUNG a leave of absence for the day.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MORGAN a leave of absence for the day due to business reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. STRINGER a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. GOVAN a temporary leave of absence.

**SPECIAL PRESENTATION**

Rep. MCCRAVY presented to the House the Cambridge Academy Girls Soccer Team, coaches, and other school officials.

**SPECIAL PRESENTATION**

Reps. FINLAY and BERNSTEIN presented to the House the Hammond School Wrestling Team, coaches, and other school officials.

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**STATEMENT BY REP. RIDGEWAY**

On motion of Rep. HOSEY, Rep. RIDGEWAY's remarks were ordered printed in the Journal as follows:

'Twas the end of March when the special day came,  
You know the one for the Annual Legislative game.

It was a crisp day filled with sun,  
And everyone was out for some softball fun.

As coaches Huggins and Williams their wisdom did yield,  
Speaker Lucas and team took to the field.

In the gallery were hecklers, Hixon and West,  
Trying to disrupt things they did their best.

A moving play evolved that would rival McBeth,  
To the plate stepped a Rose not Pete, but Seth.

With a crack of the bat the ball took to the sky,  
And as he rounded the bases home plate he did spy.

Short of his goal Seth came to meet the ground,  
The crowd on their feet standing all around.

Crawling and scratching and inching his way,  
Nothing could rival his determination that day.

As home plate he touched, there arose such a shout,  
The Amenders would win to that there was no doubt.

Twenty-three to two the Senate did fall,  
But thanks be to God a good time was had by all.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

“5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member

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presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.”

**CO-SPONSORS ADDED**

Bill Number: H. 3036  
Date: ADD:  
03/28/19 CLARY and JEFFERSON

**CO-SPONSOR ADDED**

Bill Number: H. 3231  
Date: ADD:  
03/28/19 MACE

**CO-SPONSORS ADDED**

Bill Number: H. 3319  
Date: ADD:  
03/28/19 HENEGAN, S. WILLIAMS, MCDANIEL,  
NORRELL, SIMMONS and MOORE

**CO-SPONSORS ADDED**

Bill Number: H. 3346  
Date: ADD:  
03/28/19 HENEGAN and LUCAS

**CO-SPONSORS ADDED**

Bill Number: H. 3404  
Date: ADD:  
03/28/19 ATKINSON, ALEXANDER, HOWARD and PARKS



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**CO-SPONSOR ADDED**

Bill Number: H. 3681  
Date: ADD:  
03/28/19 LUCAS

**CO-SPONSOR ADDED**

Bill Number: H. 3915  
Date: ADD:  
03/28/19 SIMMONS

**CO-SPONSOR ADDED**

Bill Number: H. 3920  
Date: ADD:  
03/28/19 WHITE

**CO-SPONSOR ADDED**

Bill Number: H. 3999  
Date: ADD:  
03/28/19 MARTIN

**CO-SPONSOR ADDED**

Bill Number: H. 4044  
Date: ADD:  
03/28/19 THAYER

**CO-SPONSOR ADDED**

Bill Number: H. 4047  
Date: ADD:  
03/28/19 THAYER

**CO-SPONSOR ADDED**

Bill Number: H. 4241  
Date: ADD:  
03/28/19 HUGGINS

**CO-SPONSOR ADDED**

Bill Number: H. 4261  
Date: ADD:  
03/28/19 BALLENTINE

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**CO-SPONSORS ADDED**

Bill Number: H. 4262  
Date: ADD:  
03/28/19 S. WILLIAMS and G. R. SMITH

**CO-SPONSOR ADDED**

Bill Number: H. 4328  
Date: ADD:  
03/28/19 PENDARVIS

**CO-SPONSORS ADDED**

Bill Number: H. 4333  
Date: ADD:  
03/28/19 BURNS, MAGNUSON, BANNISTER, W. COX,  
KIMMONS, ANDERSON, COLLINS, WHEELER,  
SOTTILE and CHUMLEY

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. D. C. MOSS a leave of absence for the remainder of the day.

***SPEAKER PRO TEMPORE* IN CHAIR**

**SPEAKER'S COMMENTS**

Today we say goodbye to, truly, one of our own, Charles Reid. For nearly 23 years, Charles has been a constant and abiding presence here in the South Carolina House, beginning with his time under Speaker David Wilkins as his trusted counsel and often the subject of his colorful quips. Charles helped now Ambassador Wilkins guide the House through transition and some extremely successful years. Immediately known for his steady hand, sharp mind, and abnormally large.....brain. Charles was able to withstand the "Wilkins treatment" to help David build the Speaker's office from the ground up.

Charles left David and the House, briefly, but he returned to become Clerk of the House, a post he has held under three different speakers and for 14 legislative sessions. Charles has done and seen it all in his time here, and likely, whatever it was, he had a heavy hand in making it happen. In his time, Charles has helped to standardize and professionalize the operations of the House and he has poured his effort

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into developing and retaining the world class staff the House currently enjoys.

A guardian of process and procedure and a rules maven, Charles has made sure the fiery debates, unusual circumstances and novel ideas that we see only as policy, conform to the Constitution of this State and the rules of this Body. In other words, he's always worked to make our soaring rhetoric a reality and to keep the will of the women and men in this Chamber legally sound.

A devoted family man, Charles and his beautiful wife Taj have three daughters: Callie, Emily, and Lilly who we've all watched grow up here in the South Carolina House. Each of them having taken a turn to pull the county names for the seat allocation and each of them doing a better and faster job than the new clerk's daughter ..... Charles has shared his family with us for the past 23 years, but we've also shared ours with him. He's been there for all our highs, as we've celebrated children and grandchildren of our own. He's been there for all of us during our lows and we've mourned loss together, both personal and professional.

Charles has always been more than an employee, more than staff, more than a friend, Charles has been a part of our family.

For some unknown reason, Charles remains friends with our own Murrell Smith, who affectionately calls him "whopper head", I won't mention what Charles calls Murrell. The two formed a lasting bond during their days at Charles' beloved Wofford College, where Charles performed near the top of his class and Murrell - well, he just performed.

But along the way, we've all grown close to Charles, we've all become his friend because we've all gotten to see what Murrell already knew, this is a good, kind, honest, and smart man. This is a man who puts the needs of this institution ahead of almost everything else. His time and work here have been nothing short of a labor of love.

Charles, I've said it already but it needs to be repeated often, there is no one who can replace you and what you mean to this Chamber. They can sit in your chair, but it will be impossible to fill your shoes. You have been an absolute rock for more than two decades and while we are all so, so sorry to see you go, we know that you leave us all so much better than you found us.

### **HOUSE STANDS AT EASE**

The House stood at ease for House Clerk Charles Reid's remarks regarding his service in the House.

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**THE HOUSE RESUMES**

At 11:18 a.m. the House resumed, the SPEAKER in the Chair.

**SENT TO THE SENATE**

The following Bills were taken up, read the third time, and ordered sent to the Senate:

H. 3789 -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

H. 3383 -- Reps. Ott, Hosey, Ridgeway and Cogswell: A BILL TO AMEND SECTION 48-23-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SHARING STATE FOREST LAND REVENUES WITH COUNTIES, SO AS TO EXCLUDE THE PROCEEDS FROM LAND RENTALS AND WILDLIFE MANAGEMENT AREA PAYMENTS FROM THE PROCEEDS TO BE SHARED WITH THE COUNTIES.

H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO

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CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

**H. 3307--RECONSIDERED**

The motion of Rep. POPE to reconsider the vote whereby the following Bill was given second reading, was taken up.

H. 3307 -- Reps. Clemmons, Fry, Crawford, Allison, Yow, Daning, Elliott, Hewitt, G. R. Smith, Hixon, Taylor, Magnuson, Gagnon, Johnson, Clary, Pendarvis, McKnight, Rose, Cogswell, Cobb-Hunter, B. Newton, Mace, Caskey, Moore, Gilliard and Blackwell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 17 TO CHAPTER 3, TITLE 23 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION SHALL ESTABLISH AND MAINTAIN A CASE TRACKING SYSTEM AND SEARCHABLE WEBSITE THAT INCLUDES CERTAIN INFORMATION ABOUT PROPERTY SEIZED BY LAW ENFORCEMENT AGENCIES AND FORFEITED UNDER STATE LAW OR UNDER ANY AGREEMENT WITH THE FEDERAL GOVERNMENT.

Rep. MCKNIGHT moved to table the motion to reconsider.

Rep. CLARY demanded the yeas and nays which were taken, resulting as follows:

Yeas 20; Nays 80

Those who voted in the affirmative are:

Alexander	Brawley	Brown
Cobb-Hunter	Dillard	Garvin
Hart	Hill	Hosey
Kimmons	King	Mace
Mack	Magnuson	McDaniel
McKnight	Parks	Rivers
Simmons	S. Williams	

**Total--20**

Those who voted in the negative are:

Allison	Atkinson	Bailey
Bales	Ballentine	Bannister

[HJ]

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Bennett	Bernstein	Blackwell
Bradley	Bryant	Burns
Calhoon	Caskey	Chellis
Chumley	Clary	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliam
Hardee	Hayes	Henegan
Hewitt	Hiott	Hixon
Huggins	Hyde	Jefferson
Johnson	Jordan	Kirby
Ligon	Loftis	Long
Lowe	Lucas	Martin
McCravy	D. C. Moss	V. S. Moss
Murphy	B. Newton	Norrell
Pope	Ridgeway	Robinson
Rose	Sandifer	Simrill
G. M. Smith	G. R. Smith	Spires
Stavrinakis	Tallon	Taylor
Thayer	Trantham	Weeks
West	Wheeler	White
Whitmire	R. Williams	Willis
Wooten	Yow	

**Total--80**

So, the House refused to table the motion to reconsider.

The question then recurred to the motion to reconsider, which was agreed to.

**H. 3951--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3951 -- Reps. Clary, McCoy, Tallon, Bryant, Elliott, Martin, Gagnon, Thayer, McCravy, B. Newton, Jefferson and R. Williams: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT

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THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

Rep. SIMRILL moved to adjourn debate on the Bill, which was agreed to.

**RETURNED TO THE SENATE WITH AMENDMENTS**

The following Bill was taken up, read the third time, and ordered returned to the Senate with amendments:

S. 540 -- Senator Alexander: A BILL TO AMEND SECTION 41-29-35(B) OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE THAT THE STATE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE MUST NOMINATE UP TO THREE QUALIFIED CANDIDATES FOR THE GOVERNOR'S CONSIDERATION.

**H. 3307--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3307 -- Reps. Clemmons, Fry, Crawford, Allison, Yow, Daning, Elliott, Hewitt, G. R. Smith, Hixon, Taylor, Magnuson, Gagnon, Johnson, Clary, Pendarvis, McKnight, Rose, Cogswell, Cobb-Hunter, B. Newton, Mace, Caskey, Moore, Gilliard and Blackwell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 17 TO CHAPTER 3, TITLE 23 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION SHALL ESTABLISH AND MAINTAIN A CASE TRACKING SYSTEM AND SEARCHABLE WEBSITE THAT INCLUDES CERTAIN INFORMATION ABOUT PROPERTY SEIZED BY LAW ENFORCEMENT AGENCIES AND FORFEITED UNDER STATE LAW OR UNDER ANY AGREEMENT WITH THE FEDERAL GOVERNMENT.

Reps. POPE and RUTHERFORD proposed the following Amendment No. 4 to H. 3307 (COUNCIL\AHB\3307C004.BH.AHB19):

Amend the bill, as and if amended, SECTION 1, by deleting Section 23-3-1510 and inserting:

[HJ]

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/ Section 23-3-1510. This article is applicable to any provision that authorizes a law enforcement agency to seize property that is used in the commission of a criminal offense as provided by law. As of the effective date of this section, civil forfeiture of property is prohibited unless a person whose property is seized is charged with a criminal offense by law enforcement; /

Renumber sections to conform.

Amend title to conform.

Rep. POPE explained the amendment.

Rep. G. M. SMITH moved to adjourn debate on the Bill until Tuesday, April 2, which was agreed to.

***SPEAKER PRO TEMPORE IN CHAIR***

**H. 4260--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4260 -- Reps. Caskey, Clary, Lucas, Sandifer, Simrill and Toole:  
A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA RATEPAYER PROTECTION ACT OF 2019" BY ADDING SECTIONS 8-27-70, 8-27-80, AND 8-27-90 ALL SO AS TO PROVIDE PROTECTIONS FOR EMPLOYEES OF A PUBLIC UTILITY WHO REPORT WRONGDOING BY THE UTILITY AND TO PROVIDE REMEDIES FOR EMPLOYEES WHO ARE DISMISSED OR SUFFER ADVERSE EMPLOYMENT ACTIONS BECAUSE OF A REPORT OF WRONGDOING; BY ADDING SECTIONS 37-6-610, 37-6-611, AND 37-6-612 ALL SO AS TO PROVIDE THAT NO PERSON MAY SERVE AS THE CONSUMER ADVOCATE IF THE PUBLIC SERVICE COMMISSION REGULATES A BUSINESS WITH WHICH THAT PERSON IS ASSOCIATED, AND TO PLACE RESTRICTIONS ON FUTURE EMPLOYMENT AND SPECIFIED ETHICAL REQUIREMENTS ON THE CONSUMER ADVOCATE AND EMPLOYEES OF THE DEPARTMENT OF CONSUMER AFFAIRS, AND TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS; TO AMEND SECTION 58-3-20, RELATING TO THE PUBLIC SERVICE COMMISSION, SO AS TO DELETE PROVISIONS WHICH PERMIT THE REVIEW COMMITTEE TO FIND A CANDIDATE QUALIFIED IF HE DOES NOT HAVE THE



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BACKGROUND OR EXPERTISE REQUIRED BY LAW AND PROVISIONS WHICH PERMIT CERTAIN INCUMBENT COMMISSIONERS TO BE REELECTED WHO DO NOT MEET THESE QUALIFICATIONS; BY ADDING SECTIONS 58-3-21 AND 58-3-22 BOTH SO AS TO AUTHORIZE MILEAGE AND SUBSISTENCE ALLOWANCES FOR PUBLIC SERVICE COMMISSIONERS, AND TO PROVIDE THAT MEMBERS OF THE COMMISSION ARE NOT PROHIBITED FROM CONSULTING WITH RETAINED EXPERTS AND ATTORNEYS IN CLOSED SESSION IN A MANNER CONSISTENT WITH THE APPELLATE COURTS OF THIS STATE; TO AMEND SECTION 58-3-25, RELATING TO CONFLICTS OF INTEREST OF MEMBERS OF THE PUBLIC SERVICE COMMISSION AND EMPLOYEES OF THE COMMISSION SO AS TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHICH ARE CONSIDERED CONFLICTS, AND TO DELETE A REQUIREMENT FOR CERTAIN FILINGS BY EMPLOYEES; TO AMEND SECTION 58-3-30, RELATING TO CODES OF CONDUCT OF COMMISSIONERS AND EMPLOYEES OF THE COMMISSION, SO AS TO FURTHER PROVIDE FOR THE CODE OF CONDUCT AND PERMISSIBLE ACTIONS AND PRACTICES OF COMMISSIONERS AND EMPLOYEES OF THE COMMISSION, AND TO REQUIRE ANNUAL CONTINUING EDUCATION FOR COMMISSIONERS AND EMPLOYEES; TO AMEND SECTIONS 58-3-60, 58-3-190, AND 58-3-200, ALL RELATING TO AUDITS AND EXAMINATIONS OF PUBLIC UTILITIES, SO AS TO DELETE A PROVISION WHICH PROVIDES THAT THE INSPECTION, AUDIT, AND EXAMINATION OF PUBLIC UTILITIES IS THE SOLE RESPONSIBILITY OF THE OFFICE OF REGULATORY STAFF AND NOT THE COMMISSION, AND TO PERMIT THE COMMISSION TO DIRECT THE OFFICE OF REGULATORY STAFF TO AUDIT OR EXAMINE PUBLIC UTILITIES AND THE AUTHORITY OF THE COMMISSION TO UNDERTAKE THESE ACTIONS ON ITS OWN; BY ADDING SECTION 58-3-65 SO AS TO PROVIDE THAT THE PUBLIC SERVICE COMMISSION MAY EMPLOY, THROUGH CONTRACT OR OTHERWISE, THIRD-PARTY CONSULTANTS AND EXPERTS IN CARRYING OUT ITS DUTIES IF THE COMMISSION DETERMINES IT IS IN THE BEST INTEREST OF RATEPAYERS AND IT IS APPROVED BY THE PUBLIC UTILITIES REVIEW COMMITTEE; TO AMEND SECTION 58-3-225, RELATING TO CONDUCT OF HEARINGS BY THE COMMISSION, SO AS TO

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PROVIDE THAT BEFORE MAKING A DETERMINATION, THE COMMISSION SHALL QUESTION THE PARTIES THOROUGHLY DURING HEARINGS OF CONTESTED CASES WHEN APPROPRIATE; TO AMEND SECTION 58-3-260, RELATING TO THE PROHIBITION AGAINST COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES TO A PROCEEDING, SO AS TO PERMIT CERTAIN COMMUNICATIONS BETWEEN THE COMMISSION AND THE PUBLIC UTILITIES REVIEW COMMITTEE, AND A LEGISLATIVE COMMITTEE CHARGED WITH REVIEW OF THE COMMISSION; BY ADDING SECTIONS 58-3-281, 58-3-282, 58-3-283, 58-3-284, 58-3-285, 58-3-286, AND 58-3-287, ALL SO AS TO IMPOSE CERTAIN CIVIL AND CRIMINAL PENALTIES AND SANCTIONS AGAINST A PUBLIC UTILITY WHICH VIOLATES THE PROVISIONS OF TITLE 58 OR REFUSES TO OBEY A RULE, ORDER, OR REGULATION OF THE OFFICE OF REGULATORY STAFF OR THE COMMISSION, OR WHICH FILES OR SUBMITS FALSE INFORMATION, INCLUDING A REQUIREMENT THAT THE PRINCIPAL EXECUTIVE OFFICER AND THE PRINCIPAL FINANCIAL OFFICER OF A UTILITY CERTIFY THE ACCURACY OF INFORMATION PROVIDED; TO AMEND SECTION 58-3-520, RELATING TO THE PUBLIC UTILITIES REVIEW COMMITTEE, SO AS TO REVISE THE MEMBERSHIP OF THE COMMITTEE AND PREVENT A PERSON FROM BEING APPOINTED TO THE COMMITTEE WHO HAS MADE CERTAIN POLITICAL CONTRIBUTIONS TO THE APPOINTING AUTHORITY; TO AMEND SECTION 58-3-530, RELATING TO THE POWERS AND DUTIES OF THE REVIEW COMMITTEE, SO AS TO PROVIDE THAT THE COMMITTEE SHALL NOMINATE ALL CANDIDATES IT FINDS QUALIFIED FOR EACH SEAT ON THE COMMISSION, AND TO PROVIDE THAT THE COMMITTEE SHALL APPOINT THE EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-3-560, RELATING TO ELECTION OF COMMISSIONERS, SO AS TO PROVIDE THAT THE PROVISIONS OF SECTION 58-3-24 PROHIBITING THE ELECTION OF MEMBERS OF THE GENERAL ASSEMBLY OR MEMBERS OF THEIR IMMEDIATE FAMILY TO THE COMMISSION, NO LONGER PROHIBITS THEIR ELECTION, AND TO PROVIDE THAT BEGINNING WITH THE 2020 ELECTIONS, THE ELECTIONS MUST BE HELD AT LEAST FORTY-FIVE DAYS AFTER THE SCREENING AND NOMINATION PROCESS; BY

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ADDING SECTION 58-3-565 SO AS TO PROVIDE THAT MEMBERS OF THE REVIEW COMMITTEE ARE PROHIBITED FROM CERTAIN ACTIONS OR HAVING CERTAIN BUSINESS RELATIONSHIPS; TO AMEND SECTION 58-4-40, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE OFFICE OF REGULATORY STAFF, SO AS TO REVISE CERTAIN DISCLOSURE REQUIREMENTS ON THE PART OF EMPLOYEES AND TO PROHIBIT CERTAIN OTHER ACTIONS BY THESE EMPLOYEES; TO AMEND SECTION 58-31-20, RELATING TO THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY, SO AS TO PROHIBIT CERTAIN ACTIONS BY BOARD MEMBERS AND TO PROHIBIT CERTAIN BUSINESS RELATIONSHIPS BY BOARD MEMBERS; AND TO REPEAL SECTION 58-4-30 RELATING TO THE QUALIFICATIONS AND APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY STAFF.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 4260 (COUNCIL\AHB\4260C001.BH.AHB19), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting language and inserting:

/ SECTION 1. This act is known and may be cited as the “South Carolina Ratepayer Protection Act of 2019”.

SECTION 2. Chapter 27, Title 8 of the 1976 Code is amended by adding:

“Section 8-27-70. For purposes of Sections 8-27-80 and 8-27-90:

(1) ‘Public utility’ means public utility as defined in Sections 58-3-5(6) and 58-33-20 (6), the South Carolina Public Service Authority, and electric cooperatives.

(2) ‘Employee’ means an employee of a public utility.

(3) ‘Appropriate authority’ means, respectively, the public utility that employs the person making the report or the Office of Regulatory Staff. If a report is made to the Office of Regulatory Staff, the employing public utility must be notified as soon as practicable by the entity that received the report.

(4) ‘Report’ means:

(a) a written or oral allegation of waste or wrongdoing that contains the following information:

(i) the date of disclosure;

(ii) the name of the employee making the report; and

(iii) the nature of the wrongdoing and the date or range of dates on which the wrongdoing allegedly occurred. A report must be made within one hundred eighty days of the date the reporting employee first learns of the alleged wrongdoing; or

(b) sworn testimony regarding wrongdoing, regardless of when the wrongdoing allegedly occurred, given to any standing committee, subcommittee of a standing committee, oversight committee, oversight subcommittee, or study committee of the Senate or the House of Representatives.

(5) ‘Wrongdoing’ means action by a public utility which results in substantial abuse, misuse, destruction, or loss of substantial public utility funds or public utility resources. ‘Wrongdoing’ also includes an allegation that a public utility has intentionally violated federal or state statutory law or regulations or other political subdivision ordinances or regulations or a code of ethics, which violation is not merely technical or of a minimum nature.

Section 8-27-80. (A) A public utility may not dismiss, suspend from employment, demote, or decrease the compensation of an employee of a public utility because the employee files a report with an appropriate authority of wrongdoing. If the appropriate authority determines the employee’s report is unfounded, or amounts to a mere technical violation, and is not made in good faith, the public utility may take disciplinary action including termination. Any public utility covered by this chapter may impose disciplinary sanctions, in accordance with its internal disciplinary procedures, against any of its direct line supervisory employees who retaliate against another employee for having filed a good faith report under this chapter.

(B) Notwithstanding the filing of a report pursuant to this chapter, a public utility may dismiss, suspend, demote, or decrease the compensation of an employee for causes independent of the filing of a protected report as described in this section.

Section 8-27-90. (A) If an employee is dismissed, suspended from employment, demoted, or receives a decrease in compensation, within one year after having timely reported an alleged wrongdoing under this chapter, the employee may institute a nonjury civil action against the employing public utility for:

- (1) reinstatement to his former position;
- (2) lost wages;
- (3) actual damages not to exceed fifteen thousand dollars; and
- (4) reasonable attorney’s fees as determined by the court. This award of attorney’s fees may not exceed ten thousand dollars for a trial

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and five thousand dollars for an appeal. The action must be brought in the court of common pleas of the county in which the employment action occurred. An action may not be brought under this chapter unless the employee has exhausted all available grievance or other administrative remedies, and any previous proceedings have resulted in a finding that the employee would not have been disciplined but for the reporting of alleged wrongdoing.

(B) An action under this chapter must be commenced within one year after the accrual of the cause of action or exhaustion of all available grievance or other administrative and judicial remedies or is forever barred.”

SECTION 3. Part 6, Chapter 6, Title 37 of the 1976 Code is amended by adding:

“Section 37-6-610. For purposes of Sections 37-6-611 and 37-6-612, ‘business with which he is associated’ means a business of which the person or a member of his immediate family is a director, an officer, owner, employee, a compensated agent, or holder of stock worth one hundred thousand dollars or more at fair market value and which constitutes five percent or more of the total outstanding stock of any class.

Section 37-6-611. (A) Unless otherwise provided by law, a person may not serve as the Consumer Advocate if the Public Service Commission regulates a business with which that person is associated.

(B)(1) The Consumer Advocate may not interview or seek employment with a public utility while serving as the Consumer Advocate. The Consumer Advocate may not represent a public utility or appear on behalf of a public utility in a proceeding before the Public Service Commission in a matter within the commission’s jurisdiction for a period of one year after the termination of his service as the Consumer Advocate.

(2) A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or be imprisoned for not more than one year, or both.

Section 37-6-612. (A) An employee of the Department of Consumer Affairs may not solicit, receive, or accept anything of value from a person or entity that is regulated by the public service commission.

(B) A person or entity that is regulated by the public service commission may not offer, facilitate, or provide anything of value to a department employee.

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(C) A person may not be an employee of the department if the public service commission regulates a business with which that person is associated.

(D) For purposes of this section, 'anything of value' has the same meaning as provided in Section 8-13-100(1).

(E) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or be imprisoned not more than one year, or both."

SECTION 4. Section 58-3-20 of the 1976 Code is amended to read:

"Section 58-3-20. (A) The commission is composed of seven members to be elected by the General Assembly in the manner prescribed by this chapter. Each member must have:

(1) a baccalaureate or more advanced degree from:

(a) a recognized institution of higher learning requiring face-to-face contact between its students and instructors prior to completion of the academic program;

(b) an institution of higher learning that has been accredited by a regional or national accrediting body; or

(c) an institution of higher learning chartered before 1962; and

(2) a background of substantial duration and an expertise in at least one of the following:

(a) energy issues;

(b) telecommunications issues;

(c) consumer protection and advocacy issues;

(d) water and wastewater issues;

(e) finance, economics, and statistics;

(f) accounting;

(g) engineering; or

(h) law.

~~(B) The review committee may find a candidate qualified although the candidate does not have a background of substantial duration and expertise in one of the eight enumerated areas contained in subsection (A)(2) of this section if three-fourths of the review committee vote to qualify the candidate and provide written justification of their decision in the report as to the qualifications of the candidates.~~

~~(C) The qualification provisions of subsection (A) of this section do not apply to the reelection of a commissioner elected by the General Assembly on March 3, 2004, so long as there is no break in service.~~

~~(D)(1)~~ Beginning in 2004, the members of the Public Service Commission must be elected to staggered terms. In 2004, the members

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representing the Second, Fourth, and Sixth Congressional Districts must be elected for terms ending on June 30, 2006, and until their successors are elected and qualify. Thereafter, members representing the Second, Fourth, and Sixth Congressional Districts must be elected to terms of four years and until their successors are elected and qualify. In 2004, the members representing the First, Third, and Fifth Congressional Districts and the State at large must be elected for terms ending on June 30, 2008, and until their successors are elected and qualify. Thereafter, members representing the First, Third, and Fifth Congressional Districts and the State at large must be elected to terms of four years and until their successors are elected and qualify. Notwithstanding the provisions of this section, members representing the First, Third, and Fifth Congressional Districts shall serve until the expiration of their terms, and in 2013, members representing the First, Third, and Fifth Congressional Districts must be elected for terms ending on June 30, 2016, and until their successors are elected and qualified.

(2) In the event there are Seven Congressional Districts, the member elected from the State at large shall serve until the expiration of his term, and in 2013, a member representing the Seventh Congressional District must be elected for a term ending on June 30, 2016, and until his successor is elected and qualified. Thereafter, the member representing the Seventh Congressional District must be elected to terms of four years and until his successor is elected and qualified. Upon the election and qualification of the member representing the Seventh Congressional District, the at large member elected to satisfy the requirements of subsection (E) immediately shall cease to be a member of the commission.

~~(E)~~(C) The General Assembly must provide for the election of the seven-member commission and elect its members based upon the congressional districts established by the General Assembly pursuant to the latest official United States Decennial Census. If the number of congressional districts is less than seven, additional members must be elected at large to provide for a seven-member commission. In the event the congressional districts established by the General Assembly are under review by a court for compliance with statutory or constitutional requirements, an election scheduled pursuant to this section shall not be held until a final determination is made by the courts regarding the congressional districts. The inability to hold an election due to judicial review of the congressional districts does not constitute a vacancy on the commission and the commissioners serve until their successors are elected and qualify.

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~~(F)~~(D) The Governor may fill vacancies in the office of commissioner until the successor in the office for a full term or an unexpired term, as applicable, has been elected by the General Assembly. In cases where a vacancy occurs on the commission when the General Assembly is not in session, the Governor may fill the vacancy by an interim appointment. The Governor must report the interim appointment to the General Assembly and must forward a formal appointment at its next ensuing regular session.”

SECTION 5. Article 1, Chapter 3, Title 58 of the 1976 Code is amended by adding:

“Section 58-3-21. While hearing cases or any other matter within the commission’s jurisdiction or on other official business outside the county in which he resides, within fifty miles of his residence, a public service commissioner is entitled to a subsistence allowance in the amount of thirty-five dollars per day plus such mileage allowance for travel as is provided for other employees of the State. While hearing cases or any other matter within the commission’s jurisdiction or on other official business at a location fifty miles or more from his residence, a public service commissioner is entitled to a subsistence allowance in the amount as provided for members of the General Assembly plus such mileage allowance for travel as is provided for other employees of the State.

Section 58-3-22. Members of the Public Service Commission are not prohibited from consulting with commission-retained experts and attorneys in closed session and are not prohibited from deliberating together in closed session in a manner consistent with the appellate courts in this State.”

SECTION 6. Section 58-3-25 of the 1976 Code is amended to read:

“Section 58-3-25. (A) Unless otherwise provided by law, ~~no~~ a person may not serve as a member of the commission if the commission regulates any business with which that person is associated.

~~(B) If the commission regulates a business with which an employee of the commission is associated, the employee must annually file a statement of economic interests notwithstanding the provisions of Section 8-13-1110.~~

~~(C) No~~ A person may not be an employee of the commission if the commission regulates a business with which the employee is associated, ~~and this relationship creates a continuing or frequent conflict with the performance of his official responsibilities.~~



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(C)(1) A commission employee may not solicit, receive, or accept anything of value from a person or entity that is regulated by the commission.

(2) A person or entity that is regulated by the commission may not offer, facilitate, or provide anything of value to a commission employee.

(D) For purposes of this section, 'anything of value' has the same meaning as provided in Section 8-13-100(1)."

SECTION 7. Section 58-3-30 of the 1976 Code is amended to read:

"Section 58-3-30. (A) The commissioners shall take the oath of office provided by the Constitution and the oaths prescribed by law for state officers.

(B) The commissioners and commission employees are bound by the Code of Judicial Conduct, as contained in Rule 501 of the South Carolina Appellate Court Rules, except as provided in Section 58-3-260, and the State Ethics Commission must enforce and administer those rules pursuant to Section 8-13-320. In addition, commissioners and commission employees must comply with the applicable requirements of Chapter 13, of Title 8.

(C)(1) Each year, the commissioners and their employees must attend a workshop of at least six contact hours concerning ethics and the Administrative Procedures Act. This workshop must be developed with input from the review committee. Also, each year, the commissioners and their employees must attend at least six hours of continuing education curriculum which directly relates to the subject matter for which the commission is responsible. The continuing education curriculum must be approved by the Public Utilities Review Committee.

(2) In meeting the requirements of this subsection:

(a) Commissioners and commission employees may receive reimbursement of expenses for the extra-judicial activities permitted by the Code of Judicial Conduct, if the source of such payments does not give the appearance of influencing the commissioners and commission employees' performance of duties or otherwise give the appearance of impropriety.

(b) Reimbursement shall not exceed a reasonable amount nor shall it exceed what a person who is not a commissioner or commission employee would receive for the same activity.

(c) Expense reimbursements are limited to the actual cost of travel, food, and lodging reasonably incurred, pursuant to Canon 4 contained in Rule 501 of the South Carolina Appellate Court Rules, regardless of the source of the reimbursement.

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(d) Notwithstanding another provision of law or the Code of Judicial Conduct, commissioners and commission employees may only receive reimbursements reasonably related to obtaining the continuing education required by this subsection.

(e) Commissioners and commission employees shall report the date, place, and nature of any activity for which the commissioners or commission employees received reimbursement. The commissioners and commission employees further shall report the name of the payor and the amount of reimbursement received. The report must be made at least annually and must be filed as a public document with the State Ethics Commission.

(D) Pursuant to the requirements enumerated in this subsection, commissioners and commission employees may receive reimbursement of expenses for the extra-judicial activities permitted by the Code of Judicial Conduct.

(1) The source of such payments does not give the appearance of influencing the commissioners and commission employees' performance of duties or otherwise give the appearance of impropriety.

(2) Reimbursement may not exceed a reasonable amount nor may it exceed what a person who is not a commissioner or commission employee would receive for the same activity.

(3) Expense reimbursements are limited to the actual costs of travel, food, and lodging reasonably incurred, pursuant to Canon 4 contained in Rule 501 of the South Carolina Appellate Court Rules, regardless of the source of the reimbursement.

(4) Notwithstanding another provision of law or the Code of Judicial Conduct, commissioners and commission employees only may receive reimbursements reasonably related to obtaining the continuing education required by this section.

(5) Commissioners and commission employees shall report the date, place, and nature of any activity for which the commissioners or commission employees received reimbursement. The commissioners and commission employees further shall report the name of the payor and the amount of reimbursement received. The report must be made at least annually and must be filed as a public document with the State Ethics Commission."

SECTION 8. A. Section 58-3-60 of the 1976 Code is amended to read:

"Section 58-3-60. (A) The commission is authorized and empowered to employ: a chief clerk and deputy clerk; a commission attorney and assistant commission attorneys; hearing officers; hearing

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reporters; and such other professional, administrative, technical, and clerical personnel as the commission determines to be necessary in the proper discharge of the commission's duties and responsibilities as provided by law. The chairman must organize and direct the work of the commission staff. The salaries of the chairman, the commissioners, and the chief clerk shall not be construed as limiting the maximum salary which may be paid to other employees of the Public Service Commission. The commission staff shall not appear as a party in commission proceedings and shall not offer testimony on issues before the commission.

(B) Subject to Section 58-3-580, the commission must be staffed and equipped to perform the functions set forth in this title except for those responsibilities and functions reserved to the Office of Regulatory Staff. The expenses must be paid from the assessments collected pursuant to Section 58-3-100. The chairman, within allowed budgetary limits and as otherwise allowed by law, must authorize and approve travel, subsistence, and related expenses of personnel incurred while traveling on official business.

(C) The commissioners shall not supervise the Office of Regulatory Staff.

~~(D) The commission shall not inspect, audit, or examine public utilities. The inspection, auditing, and examination of public utilities is solely the responsibility of the Office of Regulatory Staff."~~

B. Section 58-3-190(C) of the 1976 Code is amended to read:

"(C) The commission may ~~request~~ direct the Office of Regulatory Staff to make, pursuant to Section 58-4-50(A)(2), an inspection, audit, or examination of the persons or entities referred to in subsection (A) regarding matters the commission requires to be addressed in the reports referred to in subsection (A)."

C. Section 58-3-200 of the 1976 Code is amended to read:

"Section 58-3-200. In addition to any authority granted to the Office of Regulatory Staff, the commission has the authority to initiate inspections, ~~audits,~~ and examinations of all persons and entities subject to its jurisdiction, including a physical inspection of facilities. Such inspections, ~~audits,~~ and examinations must relate to matters within the commission's jurisdiction. ~~Notwithstanding any other provision of law, the commission must not conduct such inspections, audits, and examinations itself, but must request that they be conducted by the Office of Regulatory Staff pursuant to Section 58-4-50(A)(2)."~~

SECTION 9. Article 1, Chapter 3, Title 58 of the 1976 Code is amended by adding:

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“Section 58-3-65. The Public Service Commission may employ, through contract or otherwise, third-party consultants and experts in carrying out its duties if the commission determines it is in the best interests of ratepayers and it is approved by the Public Utilities Review Committee. Prior to employing any third-party consultants or experts, the commission shall apply to the Public Utilities Review Committee for authorization. The application is considered granted if not acted upon by the review committee within thirty days. The commission is exempt from complying with the State Procurement Code in the selection and hiring of third-party consultants or experts authorized by this subsection. The expenses must be paid from the assessments collected pursuant to Section 58-3-100.”

SECTION 10. Section 58-3-225 of the 1976 Code is amended by adding an appropriately lettered subsection to read:

“( ) Before making a determination, the commissioners shall question the parties thoroughly during hearings of contested cases when appropriate.”

SECTION 11. Section 58-3-260(C) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) a communication made by or to a member or staff of the Public Utilities Review Committee, or any other legislative committee charged with review of the commission, in the furtherance of the duties of the committees. The exemption contained in this item does not extend to any communication made regarding a pending matter.”

SECTION 12. Article 1, Chapter 3, Title 58 of the 1976 Code is amended by adding:

“Section 58-3-281. (A) A public utility which violates any of the provisions of this title or refuses to conform to or obey any rule, order, or regulation of the Office of Regulatory Staff or Public Service Commission shall, in addition to the other penalties prescribed in this chapter, forfeit and pay a sum up to ten thousand dollars for each offense; and each day the public utility continues to violate any provision of this title or continues to refuse to obey or perform any rule, order, or regulation prescribed by the commission must be a separate offense.

(B) A public utility or its officers or agents in charge that fail or refuses, upon the written demand of the Office of Regulatory Staff or Public Service Commission, to permit the Regulatory Staff or Commission, its authorized representatives, or employees to examine and inspect its books, records, accounts, and documents, or its plant, property, or facilities, as provided by law, must be punishable by a fine

up to ten thousand dollars for each offense and each day the violation occurs.

(C) Such action may be instituted by the Public Service Commission or the Office of Regulatory Staff and prosecuted by the Attorney General. The procedure in such actions, the right of appeal, and the rules regulating appeals must be the same as provided by law in other civil actions.

Section 58-3-282. The wilful act of an officer, agent, or employee of a public utility acting within the scope of his official duties of employment, for the purpose of this article, must be considered to be the wilful act of the utility.

Section 58-3-283. If a public utility doing business in this State by its agents or employees is guilty of the violation of the rules and regulations provided and prescribed by the commission, and if after due notice of the violation given to the principal officer of the utility, if residing in the State, or, if not, to the manager or superintendent or secretary or treasurer if residing in the State, or, if not, then to any local agent of the utility, ample and full recompense for the wrong or injury done to a person as may be directed by the commission, must not be made within thirty days from the time of the notice, the public utility shall incur a civil penalty for each offense of not more than five thousand dollars.

Section 58-3-284. An officer, agent or employee of a public utility, who wilfully neglects or refuses to make and furnish any report required by the commission for the purposes of this chapter, or who wilfully or unlawfully hinder, delay or obstruct the commission in the discharge of the duties imposed upon it, shall forfeit and pay five thousand dollars for each offense. A delay of ten days to make and furnish the report shall raise the presumption that the same was wilful.

Section 58-3-285. (A) A person, firm, or corporation operating under the jurisdiction of the Office of Regulatory Staff or the Public Service Commission or who is required by law to file reports with the commission who knowingly or willfully file or give false information to the Office of Regulatory Staff or the Public Service Commission in a report, reply, response, or other statement or document furnished to the commission is guilty of a misdemeanor, and upon conviction, punishable by a fine of not more than one thousand dollars or not more than thirty days imprisonment, or both.

(B) A person, firm, or corporation operating under the jurisdiction of the utilities commission or who is required by law to file reports with the commission who wilfully withholds clearly specified and reasonably

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obtainable information from the commission in any report, response, reply, or statement filed with the commission in the performance of the duties of the commission or who shall fail or refuse to file a report, response, reply or statement required by the commission in the performance of the duties of the commission is guilty of a misdemeanor, and upon conviction, punishable by a fine of not more than one thousand dollars or not more than thirty days imprisonment, or both.

Section 58-3-286. The remedies provided by this chapter must be regarded as cumulative to the remedies otherwise provided by law against public utilities.

Section 58-3-287. (A) The legislative purpose behind the certification provisions of this section is to ensure that a public utility's principal executive officer and principal financial officer take a proactive role in their company's submission and disclosure of data and calculations associated with proceedings before the Public Service Commission, in order to give the public more confidence in the accuracy, quality, and reliability of a company's interaction with the Public Service Commission.

(B) The principal executive officer and principal financial officer of the public utility will sign as individuals, powers of attorney are not permitted, rather than for the company as an authorized signer.

(C) Certifications from the principal executive officer and principal financial officer of the licensee will be required for submittals related to any procedure specified by the Public Service Commission.

(D) The principal executive officer and principal financial officer of licensee will certify that:

- (1) they have reviewed the submittal;
- (2) based on their knowledge, the submittal does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the submittal made not misleading;
- (3) based on their knowledge, the calculations, data, and other inputs and assumptions provided to the Public Service Commission included with the submittal, fairly present in all material respects the information used by the company in performing the calculations and drawing the conclusions as submitted to the Public Service Commission. Where a single data point is required to be selected from a reasonable range, the company has provided that range in addition to the single data point that was ultimately utilized in the calculations;
- (4) based on their knowledge, the public utility has complied with the timelines set out by the Public Service Commission specified for the respective proceeding; and

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(5) they acknowledge that they are responsible for establishing and maintaining controls and procedures over the compiling of data, the ultimate calculations, and other information submitted to the Public Service Commission for the accompanying submittal of the public utility, and have designed controls and procedures, or caused such controls and procedures to be designed under their supervision, to provide reasonable assurance regarding the reliability of the calculations, data, and other information included in the submittal.

(F) Whoever:

(1) certifies any submittal as set forth in this section knowing that the submittal does not comport with all the requirements set forth in this section is guilty of a felony and upon conviction, must be fined not more than one hundred thousand dollars or imprisoned not more than five years, or both; or

(2) wilfully certifies any submittal as set forth in this section knowing that the submittal does not comport with all the requirements set forth in this section is guilty of a felony and upon conviction, must be fined not more than one hundred thousand dollars or imprisoned not more than five years, or both;

(E) The certification from the principal executive officer and principal financial officer of licensee must be in the form below:

‘FORM OF CERTIFICATION

I, \_\_\_\_\_, certify that:

I have reviewed this submittal of \_\_\_\_\_ (the Company);

Based on my knowledge, this submittal does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the submittal made not misleading.

Based on my knowledge, the calculations, data, and other inputs and assumptions provided to the Public Service Commission included with this submittal, fairly present in all material respects the information used by the company in performing the calculations and drawing the conclusions as submitted to the Public Service Commission, and were provided to the Public Service Commission in a manner consistent with the timelines established by the Public Service Commission for this submittal. Where a single data point was required to be selected from a reasonable range, the company has provided that range in addition to the single data point that was ultimately utilized in the calculations.

The company’s other certifying officer and I are responsible for establishing and maintaining controls and procedures over the compiling of data, the ultimate calculations utilized, and the other information submitted by the company to the Public Service Commission, and have

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designed controls and procedures, or caused such controls and procedures to be designed under our supervision, to provide reasonable assurance regarding the reliability of the compiling of data, the ultimate calculations utilized, and the other information submitted by the company to the Public Service Commission.

Dated: \_\_\_\_\_/s/ \_\_\_\_\_ Signed: \_\_\_\_\_  
Title: \_\_\_\_\_”

SECTION 13. Article 1, Chapter 3, Title 58 of the 1976 Code is amended by adding:

“Section 58-3-290. The commission is empowered with the authority to require mediation or alternative dispute resolution related to matters or cases that are pending before the commission. The mediation or alternative dispute resolution ordered by the commission shall be conducted in accordance with the South Carolina Court-Annexed Alternative Dispute Resolution (ADR) Rules.”

SECTION 14. Section 58-3-520 of the 1976 Code is amended to read:

“Section 58-3-520. (A) The review committee ~~shall~~ must be composed of ~~ten~~ twelve members, three of whom ~~shall~~ must be members of the House of Representatives, including the Chairman of the Labor, Commerce and Industry Committee, or his designee, three of whom ~~shall~~ must be members of the Senate, including the Chairman of the Judiciary Committee or his designee, ~~two~~ one of whom ~~shall~~ must be appointed by the Chairman of the Senate Judiciary Committee from the general public at large, ~~and two~~ one of whom must be appointed by the Speaker of the House of Representatives from the general public at large, and four of whom must be appointed by the Governor from the general public at large. The Speaker of the House of Representatives shall determine how its legislative members ~~shall~~ must be selected. The Chairman of the Senate Judiciary Committee will select the members of the Senate. Provided, however, that in making appointments to the joint committee, race, gender, and other demographic factors should be considered to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State. The members of the general public appointed by the Speaker and the Chairman of the Senate Judiciary Committee must be representative of all citizens of this State and must not be members of the General Assembly.

(B) The review committee must meet as soon as practicable after appointment and organize itself by electing one of its members as chairman and such other officers as the review committee may consider



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necessary. Thereafter, the review committee must meet at least annually and at the call of the chairman or by a majority of the members. A quorum consists of ~~six~~ seven members.

(C) Unless the review committee finds a candidate qualified and nominates the candidate for a seat on the Public Service Commission or for the Executive Director of the Office of Regulatory Staff, the candidate must not be elected to the Public Service Commission or appointed to serve as Executive Director of the Office of Regulatory Staff.

(D) A person may not be appointed to the review committee if that person has made a political contribution to the appointing authority in the appointing authority's applicable current election cycle or the previous two election cycles. For purposes of this section, 'election cycle' has the same meaning as provided in Section 8-13-1300."

SECTION 15. Section 58-3-530(1) of the 1976 Code is amended to read:

“(1) to nominate:

~~(a) no more than three~~ all candidates found qualified for each seat on the Public Service Commission to be elected by the General Assembly. In order to be nominated, a candidate must be found qualified by meeting the requirements as provided in Sections 58-3-20 and 58-3-560~~;~~, and to appoint

~~(b) no more than one qualified candidate for the Governor to consider in appointing~~ the Executive Director of the Office of Regulatory Staff. In order to be ~~nominated~~ appointed, a candidate must be found qualified ~~by meeting the minimum requirements as provided in Section 58-4-30~~. The review committee must give due consideration to a candidate's experience and expertise in matters related to public utilities. ~~A person must not be appointed to serve as Executive Director of the Office of Regulatory Staff unless nominated by the review committee. If the Governor rejects a person nominated for the position of executive director by the review committee, the review committee must nominate another candidate for the Governor to consider, until the Governor makes an appointment~~ The Executive Director of the Office of Regulatory Staff must be an attorney qualified to practice in all courts of this State with a minimum of eight years' practice experience. The executive director must be appointed for a term of six years and until his successor is appointed. Notwithstanding the six-year term, the executive director shall serve at the will of the committee and may be removed by a majority vote of the review committee. Upon removal, the committee

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shall appoint a permanent or interim successor for the executive director;”

SECTION 16. Section 58-3-560 of the 1976 Code is amended to read:

“Section 58-3-560. (A) Whenever an election is to be held by the General Assembly in joint session to elect a person to serve on the commission, the review committee must conduct its screening pursuant to the provisions of Section 2-20-10, et seq.; however, Section 2-20-40 is not applicable to a screening by the review committee. Beginning with the 2020 election for persons to serve on the commission, the election must be held at least forty-five days after the screening and nomination process is complete.

(B) In order to be nominated for a seat on the commission, candidates must meet the requirements of Section 58-3-20, ~~and~~ this section, and Section 58-3-24. In screening candidates for the commission and making its findings, the review committee must seek to find the best qualified people by giving due consideration to:

- (1) ability, dedication, compassion, common sense, and integrity of the candidates; and
- (2) the race and gender of the candidates and other demographic factors to assure nondiscrimination to the greatest extent possible of all segments of the population of the State.”

SECTION 17. Article 5, Chapter 3, Title 58 of the 1976 Code is amended by adding:

“Section 58-3-565. (A) A member of the review committee may not knowingly, directly or indirectly, while serving in the position:

- (1) have a business relationship with or receive any form of income or compensation from a public utility, an affiliate of a public utility, an association representing a public utility, or other person or entity whose business is regulated, whether wholly or in part, by the Office of Regulatory Staff or the Public Service Commission; or
- (2) ask, demand, solicit, seek, accept, receive, or agree to receive a campaign contribution, lodging, transportation, entertainment, food, meals, beverages, money, or anything of value from a public utility, an affiliate of a public utility, an association representing a public utility, or other person or entity whose business is regulated, whether wholly or in part, by the Office of Regulatory Staff or the Public Service Commission.

(B) A public utility, an affiliate of a public utility, an association representing a public utility, or other person or entity whose business is

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regulated, whether wholly or in part, by the Office of Regulatory Staff or the Public Service Commission may not:

(1) enter into a business relationship with or provide any form of income or compensation to a member of the review committee; or

(2) offer, solicit, facilitate, or provide a campaign contribution, lodging, transportation, entertainment, food, meals, beverages, money, or anything of value to a member of the review committee.

(C) For purposes of this section:

(1) 'Person' has the same meaning as provided in Section 8-13-100(24).

(2) 'Public utility' has the same meaning as provided in Section 58-3-5(6).

(D) A violation of this section subjects the violator, upon conviction, to the penalties provided in Article 15, Chapter 13, Title 8."

SECTION 18. Section 58-4-40 of the 1976 Code is amended to read:

"Section 58-4-40. (A) Unless otherwise provided by law, ~~no~~ a person may not serve as the Executive Director of the Office of Regulatory Staff if the commission regulates any business with which that person is associated.

(B) ~~If the commission regulates a business with which an employee of the Office of Regulatory Staff is associated, the employee must annually file a statement of economic interests notwithstanding the provisions of Section 8-13-1110.~~

~~(C) No~~ A person may not be an employee of the Office of Regulatory Staff if the Public Service Commission regulates a business with which he is associated ~~and this relationship creates a continuing or frequent conflict with the performance of his official responsibilities.~~

(C)(1) An employee of the Office of Regulatory Staff may not solicit, receive, or accept anything of value from a person or entity that is regulated by the Office of Regulatory Staff or the Public Service Commission.

(2) A person or entity that is regulated by the Office of Regulatory Staff or the Public Service Commission may not offer, facilitate, or provide anything of value to an employee of the Office of Regulatory Staff.

(D) For purposes of this section, 'anything of value' has the same meaning as provided in Section 8-13-100(1)."

SECTION 19. Chapter 4, Title 58 of the 1976 Code is amended by adding:

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“Section 58-4-140. The Office of Regulatory Staff may employ, through contract or otherwise, third-party consultants and experts in carrying out its duties if it determines it is in the best interests of ratepayers and it is approved by the Public Utilities Review Committee. Prior to employing any third-party consultants or experts, the ORS shall apply to the Public Utilities Review Committee for authorization. The application is considered granted if not acted upon by the review committee within thirty days. The commission is exempt from complying with the State Procurement Code in the selection and hiring of third-party consultants or experts authorized by this subsection. The expenses must be paid from the assessments collected pursuant to Section 58-3-100.”

SECTION 20. Section 58-4-30 of the 1976 Code is repealed.

SECTION 21. Unless otherwise stated, this act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. FORRESTER explained the amendment.

The amendment was then adopted.

#### **POINT OF ORDER**

Rep. HILL raised the Point of Order that H. 4260, as amended with the adoption of the committee report, was out of order under Rule 5.13 for failure to include a fiscal impact statement.

Rep. Caskey spoke against to the Point of Order.

The SPEAKER *PRO TEMPORE* overruled the Point of Order and stated that 5.13 specifies “each Bill effecting the expenditures of monies by the State.” It is my understanding that the Sections that you referenced are expenditures by the Utilities and not by the State.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 1

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Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brown	Bryant
Burns	Calhoon	Caskey
Chellis	Chumley	Clary
Clemmons	Cobb-Hunter	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Hardee
Hart	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	Johnson
Jordan	Kimmons	King
Kirby	Ligon	Loftis
Long	Lowe	Lucas
Mace	Magnuson	Martin
McCoy	McCravy	McDaniel
Moore	D. C. Moss	V. S. Moss
Murphy	B. Newton	Norrell
Ott	Parks	Pendarvis
Pope	Ridgeway	Rivers
Robinson	Rose	Sandifer
Simmons	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Tallon	Taylor
Thayer	Trantham	Weeks
West	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

**Total--105**

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Those who voted in the negative are:  
Hill

**Total--1**

So, the Bill, as amended, was read the second time and ordered to third reading.

**STATEMENT FOR JOURNAL**

I was on excused leave discussing the House' legislative oversight process with legislative colleagues in another state in the process of establishing their own legislative oversight committee. While on excused leave, the House gave second reading to H.4260, legislation to enact the "South Carolina Ratepayer Protection Act of 2019." I would have voted to give this bill second reading.

Rep. Wm. Weston Newton

**OBJECTION TO MOTION**

Rep. FORRESTER asked unanimous consent that H. 4260 be read a third time tomorrow.

Rep. HILL objected.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**RECURRENCE TO THE MORNING HOUR**

Rep. FORRESTER moved that the House recur to the morning hour, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

Rep. BROWN, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4108 -- Reps. Stavrinakis, Simrill, Gilliard, Moore, Mack, Brown, Cogswell and Sottile: A CONCURRENT RESOLUTION TO REQUEST THE CHARLESTON COUNTY AVIATION AUTHORITY RENAME THE CHARLESTON INTERNATIONAL AIRPORT, THE "ERNEST F. 'FRITZ' HOLLINGS CHARLESTON INTERNATIONAL AIRPORT" AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THE AIRPORT CONTAINING THE

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WORDS "ERNEST F. 'FRITZ' HOLLINGS INTERNATIONAL AIRPORT".

Ordered for consideration tomorrow.

Rep. BROWN, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4185 -- Rep. Rose: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF BROAD RIVER ROAD AND HAVILAND CIRCLE IN RICHLAND COUNTY "DEPUTY DONNIE RENO WASHINGTON MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. BROWN, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4186 -- Rep. Rose: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF PERCIVAL ROAD AND FAIRLAMB ROAD IN RICHLAND COUNTY "DEPUTY JERRY LEE HURD, JR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. BROWN, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4187 -- Rep. Rose: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF CUSHMAN DRIVE AND BALDWIN ROAD IN RICHLAND COUNTY "DEPUTY DARRAL KEITH LANE, SR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

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Rep. BROWN, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4189 -- Rep. Lowe: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 327 AND SOUTH CAROLINA HIGHWAY 51 IN FLORENCE COUNTY "REVEREND BENNIE LEE GREENE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. BROWN, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4235 -- Rep. Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON HIGHWAY 1 APPROXIMATELY FOUR MILES OUTSIDE THE TOWN OF MCBEE "SERGEANT DARRYL QUICK MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Ordered for consideration tomorrow.

Rep. BROWN, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4236 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF COIT STREET IN THE CITY OF FLORENCE FROM ITS INTERSECTION WITH SUMTER STREET TO ITS INTERSECTION WITH DARLINGTON STREET "REVEREND DR. WILLIAM EDWARD CHANEY WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

Ordered for consideration tomorrow.



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Rep. BROWN, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4233 -- Rep. Stringer: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 14 AND FEWS CHAPEL ROAD IN GREENVILLE COUNTY "WILLIAM 'BUD' TURNER MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. BROWN, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 476 -- Senator Massey: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON HIGHWAY 391 IN SALUDA COUNTY OVER THE LITTLE SALUDA RIVER AT MILE MARKER 9.30 "CORPORAL DALE HALLMAN MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Ordered for consideration tomorrow.

Rep. BROWN, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 364 -- Senators Senn and Kimpson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 216A IN CHARLESTON COUNTY ALONG INTERSTATE HIGHWAY 26 "REVEREND DR. WILLIE E. GIVENS, JR. INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

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**CONCURRENT RESOLUTION**

On the motion of Rep. STAVRINAKIS, The following was taken up for immediate consideration:

S. 364 -- Senators Senn and Kimpson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 216A IN CHARLESTON COUNTY ALONG INTERSTATE HIGHWAY 26 "REVEREND DR. WILLIE E. GIVENS, JR. INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE CONTAINING THESE WORDS.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**HOUSE RESOLUTION**

The following was introduced:

H. 4337 -- Reps. Wooten, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Young and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE GRAY COLLEGIATE ACADEMY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2019 2A STATE BASKETBALL CHAMPIONSHIP.

The Resolution was adopted.

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**HOUSE RESOLUTION**

The following was introduced:

H. 4338 -- Reps. Daning, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE GOOSE CREEK HIGH SCHOOL JUNIOR LAUREN JAMES ON BEING NAMED A GOLD-MEDAL WINNER IN THE 2019 SCHOLASTIC ART & WRITING AWARDS NATIONAL COMPETITION.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4339 -- Reps. Robinson, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore,

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Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A HOUSE RESOLUTION TO DECLARE SUNDAY, JUNE 9, 2019, AS RACE AMITY DAY IN THE STATE OF SOUTH CAROLINA.

Whereas, South Carolina supports the Great Seal of the United States of America, which bears the inscription “E Pluribus Unum,” translated from the Latin as “out of many, one”; and

Whereas, the State of South Carolina, like our nation, is comprised of multiethnic, multicultural, and multiracial citizens; and

Whereas, the greatest asset of the State of South Carolina is its people; and

Whereas, friendship, collegiality, civility, respect, and kindness are commonly shared ideals of the collective citizenry of the State of South Carolina; and

Whereas, it is entirely appropriate that the people of South Carolina should join in reflection on the beauty and richness of the diverse peoples of this great State and nation while reaching out with a spirit of amity toward one another. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, declare Sunday, June 9, 2019, as Race Amity Day in the State of South Carolina.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4340 -- Reps. Bernstein, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Blackwell,

[HJ]

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Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR MOE LEVY'S STORE, A LONGTIME COLUMBIA ICON, AND TO EXPRESS APPRECIATION FOR NEARLY A HUNDRED YEARS OF EXCEPTIONAL SERVICE AND SIGNIFICANT ECONOMIC IMPACT IN THE MIDLANDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4341 -- Reps. Alexander, Simmons and Jefferson: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF THE REVEREND WILLIE E. GIVENS, JR., OF CHARLESTON AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4342 -- Reps. Johnson, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey,

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Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A HOUSE RESOLUTION TO RECOGNIZE THE MONTH OF APRIL 2019 AS "ZERO TOLERANCE FOR LITTER MONTH" IN SOUTH CAROLINA AND TO URGE THE STATE'S LAW ENFORCEMENT OFFICERS TO WORK TOGETHER THIS MONTH AND THROUGHOUT THE YEAR FOR A CLEANER COMMUNITY, THUS PRESERVING THE NATURAL BEAUTY OF OUR COMMUNITY, OUR STATE, AND OUR COUNTRY.

Whereas, the State of South Carolina has an abundance of natural resources, including old-growth forests, miles of shoreline, rolling hills, and scenic mountains; and

Whereas, litter detracts from economic development, areas of commerce, and real estate values; and

Whereas, littering is illegal and a crime against nature and the citizens of this State; and

Whereas, South Carolina law enforcement agencies serve to protect citizens from the dangers of litter on our roads and in our state forests, parks, and communities; and

Whereas, Zero Tolerance for Litter is a month-long law enforcement campaign focusing on enforcing state litter laws and making citizens aware of their responsibility in litter prevention; and

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Whereas, the South Carolina House of Representatives calls upon all state and local elected officials to make litter prevention a priority in their districts. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize the month of April 2019 as “Zero Tolerance for Litter Month” in South Carolina and urge the state’s law enforcement officers to work together this month and throughout the year for a cleaner community, thus preserving the natural beauty of our community, our State, and our country.

The Resolution was adopted.

### **CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 707 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 1, 2019, AS THE TIME AND DATE TO ELECT THREE AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES OF THE WIL LOU GRAY OPPORTUNITY SCHOOL, WHOSE TERMS WILL EXPIRE JUNE 30, 2023; TO ELECT A MEMBER TO THE BOARD OF VISITORS OF THE CITADEL, AT-LARGE SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2025; A MEMBER TO THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY, FIRST CONGRESSIONAL DISTRICT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2023; THIRD CONGRESSIONAL DISTRICT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2023; FIFTH CONGRESSIONAL DISTRICT, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2023; SEVENTH CONGRESSIONAL DISTRICT, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE, SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2023; AND TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF

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THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, FOURTH CONGRESSIONAL DISTRICT, MEDICAL SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2020.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**INTRODUCTION OF BILLS**

The following Bills and Joint Resolutions were introduced, read the first time, and referred to appropriate committees:

H. 4343 -- Rep. Ballentine: A BILL TO AMEND SECTION 58-12-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CABLE TELEVISION FRANCHISE FEES, SO AS TO REDUCE THE MAXIMUM FRANCHISE FEE PAYABLE UNDER A STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY FROM FIVE PERCENT OF GROSS REVENUES TO THREE PERCENT OF GROSS REVENUES.

Referred to Committee on Labor, Commerce and Industry

H. 4344 -- Reps. Herbkersman and Cobb-Hunter: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM PROPERTY TAX, SO AS TO EXEMPT ALL PROPERTY DEVOTED TO HOUSING LOW INCOME RESIDENTS IF THE PROPERTY IS OWNED BY AN INSTRUMENTALITY OF A NONPROFIT HOUSING CORPORATION.

Referred to Committee on Ways and Means

H. 4345 -- Rep. Hixon: A BILL TO AMEND SECTION 24-21-560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY SUPERVISION PROGRAMS, SO AS TO PROVIDE THAT IN CERTAIN CIRCUMSTANCES THE COURT MAY REVOKE A PRISONER'S COMMUNITY SUPERVISION AND IMPOSE A SENTENCE OF UP TO THE PERIOD OF TIME REMAINING ON THE ORIGINAL SENTENCE.

Referred to Committee on Judiciary

H. 4346 -- Rep. Hixon: A BILL TO AMEND SECTION 16-3-1180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AMOUNT OF AWARDS FOR CRIME VICTIMS, SO AS TO



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PROVIDE THAT AN AWARD MAY BE MADE FOR A CLAIMANT THAT IS DEPRIVED OF INCOME FOR AT LEAST ONE WORK DAY.

Referred to Committee on Judiciary

H. 4347 -- Rep. W. Cox: A BILL TO AMEND SECTION 56-5-3890, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL USE OF WIRELESS ELECTRONIC COMMUNICATIONS DEVICES WHILE OPERATING MOTOR VEHICLES, SO AS TO INCREASE THE PENALTY FOR A VIOLATION.

Referred to Committee on Judiciary

H. 4348 -- Rep. Caskey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-53-361 SO AS TO PROHIBIT APPROVAL OF MARIJUANA FOR MEDICAL USE UNTIL APPROVED AS A SAFE AND EFFECTIVE DRUG AS PART OF A UNITED STATES FOOD AND DRUG ADMINISTRATION DRUG REVIEW PROCESS.

Referred to Committee on Judiciary

H. 4349 -- Rep. Mace: A BILL TO AMEND SECTION 20-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GROUNDS FOR DIVORCE, SO AS TO ALLOW DIVORCE AFTER LIVING SEPARATE AND APART FOR SIX MONTHS.

Referred to Committee on Judiciary

H. 4350 -- Reps. Mace and Kimmons: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO GROUNDS FOR DIVORCE, SO AS TO ALLOW THE GENERAL ASSEMBLY TO ESTABLISH TIME LIMITATIONS REQUIRED TO OBTAIN A DIVORCE AFTER LIVING SEPARATE AND APART.

Referred to Committee on Judiciary

H. 4351 -- Reps. Clemmons, G. R. Smith and Garvin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA BLOCKCHAIN INDUSTRY EMPOWERMENT ACT OF 2019" IN ORDER TO ESTABLISH THIS STATE AS AN INCUBATOR FOR TECH

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INDUSTRIES SEEKING TO DEVELOP INNOVATION BY USING BLOCKCHAIN TECHNOLOGY; BY ADDING SECTION 33-6-245 SO AS TO FURTHER PROVIDE FOR THE CONSTRUCTION OF TERMS RELATING TO STOCK AND CERTIFICATE TOKENS; TO AMEND SECTION 33-6-250, RELATING TO THE FORM AND CONTENT OF CORPORATE STOCK CERTIFICATES, SO AS TO AUTHORIZE CORPORATIONS TO ISSUE CERTIFICATE TOKENS IN LIEU OF STOCK CERTIFICATES; BY ADDING CHAPTER 47 TO TITLE 34 SO AS TO PROVIDE THAT A PERSON WHO DEVELOPS, SELLS, OR FACILITATES THE EXCHANGE OF AN OPEN BLOCKCHAIN TOKEN IS NOT SUBJECT TO SPECIFIED SECURITIES AND MONEY TRANSMISSION LAWS, AND TO PROVIDE SPECIFIED VERIFICATION AUTHORITY TO THE SECRETARY OF STATE AND BANKING COMMISSIONER; BY ADDING CHAPTER 49 TO TITLE 34 SO AS TO CREATE THE FINANCIAL TECHNOLOGY SANDBOX FOR THE TESTING OF FINANCIAL PRODUCTS AND SERVICES IN SOUTH CAROLINA; TO AUTHORIZE LIMITED WAIVERS OF SPECIFIED PROVISIONS OF LAW UNDER CERTAIN CONDITIONS; TO ESTABLISH STANDARDS AND PROCEDURES FOR SANDBOX APPLICATIONS, OPERATIONS, AND SUPERVISION; TO AUTHORIZE RECIPROCITY AGREEMENTS WITH OTHER REGULATORS; TO REQUIRE CRIMINAL HISTORY BACKGROUND CHECKS; TO REQUIRE THE CREATION OF FINANCIAL TECHNOLOGY INNOVATION ACCOUNTS TO BE USED FOR SPECIAL PURPOSES; TO REQUIRE A CONSUMER PROTECTION BOND; AND TO SPECIFY STANDARDS FOR THE SUSPENSION AND REVOCATION OF A SANDBOX AUTHORIZATION; BY ADDING CHAPTER 51 TO TITLE 34 SO AS TO SPECIFY THAT DIGITAL ASSETS ARE PROPERTY WITHIN THE UNIFORM COMMERCIAL CODE, TO AUTHORIZE SECURITY INTERESTS IN DIGITAL ASSETS, TO ESTABLISH AN OPT-IN FRAMEWORK FOR BANKS TO PROVIDE CUSTODIAL SERVICES FOR DIGITAL ASSET PROPERTY AS CUSTODIANS, TO SPECIFY STANDARDS AND PROCEDURES FOR CUSTODIAL SERVICES, TO CLARIFY THE JURISDICTION OF SOUTH CAROLINA COURTS RELATING TO DIGITAL ASSETS, TO AUTHORIZE A SUPERVISION FEE, AND TO PROVIDE FOR OTHER RELATED PROVISIONS TO DIGITAL ASSETS; TO AMEND SECTION 35-11-105, RELATING TO DEFINITIONS UNDER THE SOUTH CAROLINA ANTI-MONEY LAUNDERING

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ACT, SO AS TO DEFINE THE TERM "VIRTUAL CURRENCY"; AND TO AMEND SECTION 35-11-110, RELATING TO MATTERS AND TRANSACTIONS TO WHICH THE ANTI-MONEY LAUNDERING ACT DOES NOT APPLY, SO AS TO PROVIDE THAT THE ACT DOES NOT APPLY TO BUYING, SELLING, ISSUING, OR TAKING CUSTODY OF PAYMENT INSTRUMENTS OR STORED VALUE IN THE FORM OF VIRTUAL CURRENCY OR RECEIVING VIRTUAL CURRENCY FOR TRANSMISSION TO A LOCATION WITHIN OR OUTSIDE THE UNITED STATES BY ANY MEANS.

Referred to Committee on Ways and Means

H. 4352 -- Reps. Howard and Huggins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-17-780 SO AS TO PROVIDE A CIVIL PENALTY FOR PERSONS WHO FURNISH ENERGY DRINKS TO MINORS, TO DEFINE THE TERM "ENERGY DRINK", AND TO PROVIDE THAT BEER AND WINE PERMITS ARE NOT AFFECTED.

Referred to Committee on Medical, Military, Public and Municipal Affairs

H. 4353 -- Rep. Fry: A BILL TO AMEND SECTION 33-57-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RAFFLES CONDUCTED BY NONPROFIT ORGANIZATIONS, SO AS TO AUTHORIZE NONPROFIT ORGANIZATIONS RECOGNIZED AS TAX-EXEMPT UNDER INTERNAL REVENUE CODE SECTION 501(c)(5) TO CONDUCT A RAFFLE AND TO REMOVE THE PROHIBITION ON THE USE OF FUNDS RAISED BY THE RAFFLE TO PURCHASE ATHLETIC EQUIPMENT; TO AMEND SECTION 33-57-140, AS AMENDED, RELATING TO STANDARDS FOR RAFFLES, SO AS TO INCREASE THE FAIR MARKET VALUE OF INDIVIDUAL PRIZE AND TOTAL PRIZE LIMITS; AND TO REPEAL SECTION 33-57-200 RELATING TO THE REPEAL OF CHAPTER 57, TITLE 33.

Referred to Committee on Ways and Means

H. 4354 -- Reps. McCoy, Murphy and Sottile: A BILL TO AMEND SECTION 42-9-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMPENSATION AND PAYMENTS IN WORKERS' COMPENSATION, SO AS TO PROVIDE WHEN EMPLOYEES SUFFER COMPENSABLE INJURIES AND RECEIVE

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COMPENSATION FOR THOSE INJURIES FROM THEIR EMPLOYER OR CERTAIN OTHER PARTIES UNDER THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT, THEIR EMPLOYER OR EMPLOYER'S REPRESENTATIVE IS ENTITLED TO A DOLLAR-FOR-DOLLAR CREDIT FOR PAYMENT OF INDEMNITY BENEFITS UNDER THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT AGAINST INDEMNITY BENEFITS DUE TO THE EMPLOYEE UNDER THE ACT FOR THE SAME INJURY, TO PROVIDE THE WORKERS' COMPENSATION COMMISSION IS NOT PREVENTED FROM AWARDING THE CREDIT ON CONCURRENT JURISDICTION CASES ARISING OUT OF ACCIDENTS OCCURRING PRIOR TO JULY 1, 2019, TO PROVIDE PAYMENT OF INDEMNITY BENEFITS BY THE EMPLOYER UNDER THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT DOES NOT CONSTITUTE AN ELECTION OF REMEDIES BY THE EMPLOYEE UNDER EITHER THE SOUTH CAROLINA WORKERS' COMPENSATION ACT OR THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT, AND TO PROVIDE PAYMENT OF INDEMNITY BENEFITS BY THE EMPLOYER UNDER THE SOUTH CAROLINA WORKERS' COMPENSATION ACT, THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT, OR BOTH, FOR A PERIOD OF NO LESS THAN SIX WEEKS SHALL MAKE THE EMPLOYEE ELIGIBLE TO BE AWARDED A LUMP SUM PAYMENT UNDER THE SOUTH CAROLINA WORKERS' COMPENSATION ACT PROVIDED CERTAIN OTHER PROVISIONS OF THAT ACT ARE FOUND BY THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION TO HAVE BEEN SATISFIED.

Referred to Committee on Judiciary

H. 4355 -- Reps. Fry, Yow, Hewitt, Bailey, Wooten, Erickson, Pendarvis, Weeks and Dillard: A BILL TO AMEND SECTION 44-53-720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON THE USE OF METHADONE, SO AS TO AUTHORIZE PHARMACISTS AND NURSES TO ADMINISTER OR DISPENSE METHADONE OR OTHER OPIOID AGONIST TREATMENT MEDICATIONS IN CERTAIN CIRCUMSTANCES.

Referred to Committee on Medical, Military, Public and Municipal Affairs

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H. 4356 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL MECHANICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4869, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4357 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL RESIDENTIAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4868, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4358 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO NATIONAL ELECTRICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4867, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4359 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL FUEL GAS CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4866, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4360 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - REAL ESTATE APPRAISERS BOARD, RELATING TO EDUCATION AND EXPERIENCE REQUIREMENTS FOR

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LICENSURE; AND MINOR CORRECTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4857, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4361 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - MANUFACTURED HOUSING BOARD, RELATING TO MANUFACTURED HOME INSTALLATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4824, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4362 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY, RELATING TO DENIAL OF CERTIFICATION FOR MISCONDUCT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4813, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4363 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY, RELATING TO WITHDRAWAL OF CERTIFICATION OF LAW ENFORCEMENT OFFICERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4812, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4364 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ADDITIONAL REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED AS REGULATION DOCUMENT

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NUMBER 4860, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4365 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO HAZARDOUS WASTE MANAGEMENT REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4841, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4366 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO REQUIREMENTS FOR STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN ASSISTANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4838, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4367 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4834, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4368 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4816,

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PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4369 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, RELATING TO TRANSPORTATION PROJECT PRIORITIZATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4839, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4370 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING CRISIS STABILIZATION UNIT FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4809, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

**H. 3951--RECONSIDERED**

Rep. CLARY moved to reconsider the vote whereby the following Bill was given second reading, which was agreed to:

H. 3951 -- Reps. Clary, McCoy, Tallon, Bryant, Elliott, Martin, Gagnon, Thayer, McCravy, B. Newton, Jefferson and R. Williams: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

Rep. HENEGAN moved that the House do now adjourn, which was agreed to.



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**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 3488 -- Reps. Bernstein, Ballentine, Huggins and Bales: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSTATE HIGHWAY 126 INTERCHANGE LOCATED AT ELMWOOD AVENUE AND HUGER STREET IN THE CITY OF COLUMBIA "THOMAS MOFFATT BURRISS INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE CONTAINING THIS DESIGNATION.

H. 3797 -- Rep. Rose: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF BLUFF ROAD AND ROSEWOOD DRIVE IN THE CITY OF COLUMBIA "JACO'S CORNER" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

H. 4310 -- Reps. Hewitt, Anderson, Alexander, Allison, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jordan, Kimmons, King, Kirby, Ligon, Loftis, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE STUDENTS, FACULTY, STAFF, AND ADMINISTRATION OF WACCAMAW INTERMEDIATE SCHOOL OF PAWLEYS ISLAND ON RECEIVING THE 2018-2019 PALMETTO'S FINEST AWARD.

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**ADJOURNMENT**

At 12:10 p.m. the House, in accordance with the motion of Rep. FUNDERBURK, adjourned in memory of Lois Isabelle Thompson "Izzy" Connell, to meet at 10:00 a.m. tomorrow.

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